



**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

Box 509  
**RECEIVED**

DEC 10 2001

TECH CENTER 1600/2900

ROBERT GREENBERG  
EDWARD J. KESSLER  
JORGE A. GOLDSTEIN  
SAMUEL L. FOX\*\*\*  
DAVID K.S. CORNWELL  
ROBERT W. ESMOND  
TRACY-GENE G. DURKIN  
MICHELE A. CIMBALA  
MICHAEL B. RAY  
ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL O. LEE  
STEVEN R. LUDWIG

JOHN M. COVERT  
LINDA E. ALCORN  
ROBERT C. MILLONIG  
MICHAEL V. MESSINGER  
JUDITH U. KIM  
TIMOTHY J. SHEA, JR.  
PATRICK E. GARRETT  
JEFFREY T. HELVEY\*  
HEIDI L. KRAUS  
JEFFREY R. KURIN  
PATRICK D. O'BRIEN  
LAWRENCE B. BUGAISKY  
CRYSTAL D. SAYLES

EDWARD W. YEE  
ALBERT L. FERRO\*  
DONALD R. BANOWIT  
PETER A. JACKMAN  
MOLLY A. MCCALL  
TERESA U. MEDLER  
JEFFREY S. WEAVER  
KENDRICK P. PATTERSON  
DONALD J. FEATHERSTONE  
VINCENT L. CAPUANO  
JOHN A. HARROUN\*  
ALBERT J. FASULO II\*  
ELDORA ELLISON FLOYD\*

W. RUSSELL SWINDELL  
THOMAS C. FIALA  
BRIAN J. DEL BUONO\*  
VIRGIL L. BEASTON\*  
RYAN J. STAMPER\*  
REGINALD D. LUCAS\*  
THEODORE A. WOOD  
ELIZABETH J. HAANES  
BRUCE E. CHALKER  
JOSEPH S. OSTROFF  
KAREN R. MARKOWICZ\*\*  
SUZANNE E. ZISKA\*\*  
ANDREA J. KAMAGE\*\*

NANCY J. LEITH\*\*  
JOSEPH M. CONRAD, III\*\*  
DOUGLAS M. WILSON\*\*  
ANN E. SUMMERFIELD\*\*  
CYNTHIA M. BOUCHEZ\*\*  
HELENE C. CARLSON\*\*  
GABY L. LONGSWORTH\*\*  
DUSTIN T. JOHNSON\*\*  
MATTHEW J. DOWD\*\*  
AARON L. SCHWARTZ\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

December 6, 2001

**WRITER'S DIRECT NUMBER:**  
(202) 789-5508

**INTERNET ADDRESS:**  
efloyd@skgf.com

Commissioner for Patents  
Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 09/864,291; Filed: May 25, 2001  
For: **PT32 Sperm Protein, Sperm c-Yes, Oocyte Cytoplasmic c-Yes, and  
Uses Thereof**  
Inventors: OKO *et al.*  
Our Ref: 1669.0050001/JAG/EEF/RGM

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
2. Copy of the Notice of Incomplete Reply (Nonprovisional);
3. Preliminary Amendment and Submission Sequence Listing;
4. 19 pages of paper copy of a Sequence Listing;
5. A computer readable copy of the Sequence Listing;
6. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);

Commissioner for Patents  
December 6, 2001  
Page 2

7. SKGF check no. 33451 in the amount of \$200.00 for Extension fees under 37 C.F.R. § 1.136; and
8. Return postcard

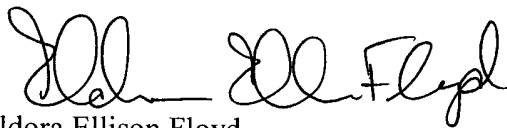
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In accordance with 37 C.F.R. § 1.825(b), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith are the same.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

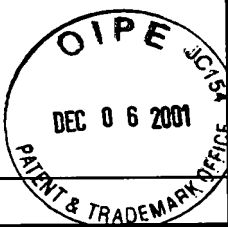
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eldora Ellison Floyd  
Attorney for Applicants  
Registration No. 39,967

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



## Complete if Known

Application Number 09/864,291  
Filing Date May 25, 2001  
First Named Inventor OKO et al.  
Examiner Name To Be Assigned  
Group Art Unit 1646  
Attorney Docket No. 1669.0050001/JAG/EEF/RGM

TOTAL AMOUNT OF PAYMENT

(\$ 200.00)

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number

19-0036

Deposit Account Name

Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     |          |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$ 0.00)

### 2. EXTRA CLAIM FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   | Fee Paid |
|----------------|-----------------|----------------|-----------------|---|----------|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |          |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |          |
| 104            | 280             | 204            | 140             | Multiple dependent claim                                  |          |
| 108            | 84              | 209            | 42              | **Reissue independent claims over original patent         |          |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$ 0.00)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee paid |
|----------|----------|----------|----------|--|----------|
| 105      | 130      | 205      | 65       | Surcharge - late filing fee or oath  |          |
| 127      | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139      | 130      | 139      | 130      | Non-English specification  |          |
| 147      | 2,520    | 147      | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112      | 920*     | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840*   | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110      | 215      | 55       | Extension for reply within first month                                     |          |
| 116      | 400      | 216      | 200      | Extension for reply within second month                                    | 200.00   |
| 117      | 920      | 217      | 460      | Extension for reply within third month                                     |          |
| 118      | 1,440    | 218      | 720      | Extension for reply within fourth month                                    |          |
| 128      | 1,960    | 228      | 980      | Extension for reply within fifth month                                     |          |
| 119      | 320      | 219      | 160      | Notice of Appeal   |          |
| 120      | 320      | 220      | 160      | Filing a brief in support of an appeal                                     |          |
| 121      | 280      | 221      | 140      | Request for oral hearing   |          |
| 138      | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140      | 110      | 240      | 55       | Petition to revive - unavoidable   |          |
| 141      | 1,280    | 241      | 640      | Petition to revive - unintentional   |          |
| 142      | 1,280    | 242      | 640      | Utility issue fee (or reissue)   |          |
| 143      | 460      | 243      | 230      | Design issue fee   |          |
| 144      | 620      | 244      | 310      | Plant issue fee  |          |
| 122      | 130      | 122      | 130      | Petitions to the Commissioner  |          |
| 123      | 130      | 123      | 130      | Petitions related to provisional applications                              |          |
| 126      | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581      | 40       | 481      | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146      | 740      | 246      | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149      | 740      | 249      | 370      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179      | 740      | 279      | 370      | Request for Continued Examination (RCE)                                    |          |
| 169      | 900      | 169      | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 200.00)

## SUBMITTED BY

Name (Print/Type)

Eldora Ellison Floyd

Registration No. (Attorney/Agent)

39,967

## Complete (if applicable)

Telephone

202-371-2600

Signature

*Eldora Ellison Floyd*

Date

December 6, 2001

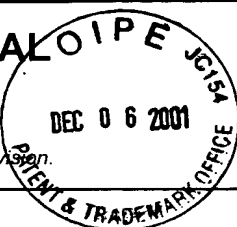
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



## Complete if Known

|                      |                          |
|----------------------|--------------------------|
| Application Number   | 09/864,291               |
| Filing Date          | May 25, 2001             |
| First Named Inventor | OKO et al.               |
| Examiner Name        | To Be Assigned           |
| Group Art Unit       | 1646                     |
| Attorney Docket No.  | 1669.0050001/JAG/EEF/RGM |

TOTAL AMOUNT OF PAYMENT

(\$ 200.00)

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

|                        |   |
|------------------------|---|
| Deposit Account Number | 19-0036                                   |
| Deposit Account Name   | Sterne, Kessler, Goldstein & Fox P.L.L.C. |

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     |          |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$ 0.00)

### 2. EXTRA CLAIM FEES

|                                   | Extra | Fee from below | Fee Paid |
|-----------------------------------|-------|----------------|----------|
| Total Claims _____ - 20** = _____ | X     |                |          |
| Indep. Claims _____ - 3** = _____ | X     |                |          |
| Multiple Dependent _____          |       |                |          |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |
| 104            | 280             | 204            | 140             | Multiple dependent claim                                  |
| 108            | 84              | 209            | 42              | **Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large | Entity | Small | Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee paid |
|-------|--------|-------|--------|----------|----------|----------|----------|--|----------|
|       |        |       |        | 105      | 130      | 205      | 65       | Surcharge - late filing fee or oath  |          |
|       |        |       |        | 127      | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
|       |        |       |        | 139      | 130      | 139      | 130      | Non-English specification  |          |
|       |        |       |        | 147      | 2,520    | 147      | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
|       |        |       |        | 112      | 920*     | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
|       |        |       |        | 113      | 1,840*   | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
|       |        |       |        | 115      | 110      | 215      | 55       | Extension for reply within first month                                     |          |
|       |        |       |        | 116      | 400      | 216      | 200      | Extension for reply within second month                                    | 200.00   |
|       |        |       |        | 117      | 920      | 217      | 460      | Extension for reply within third month                                     |          |
|       |        |       |        | 118      | 1,440    | 218      | 720      | Extension for reply within fourth month                                    |          |
|       |        |       |        | 128      | 1,960    | 228      | 980      | Extension for reply within fifth month                                     |          |
|       |        |       |        | 119      | 320      | 219      | 160      | Notice of Appeal   |          |
|       |        |       |        | 120      | 320      | 220      | 160      | Filing a brief in support of an appeal                                     |          |
|       |        |       |        | 121      | 280      | 221      | 140      | Request for oral hearing   |          |
|       |        |       |        | 138      | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
|       |        |       |        | 140      | 110      | 240      | 55       | Petition to revive - unavoidable   |          |
|       |        |       |        | 141      | 1,280    | 241      | 640      | Petition to revive - unintentional   |          |
|       |        |       |        | 142      | 1,280    | 242      | 640      | Utility issue fee (or reissue)   |          |
|       |        |       |        | 143      | 460      | 243      | 230      | Design issue fee   |          |
|       |        |       |        | 144      | 620      | 244      | 310      | Plant issue fee  |          |
|       |        |       |        | 122      | 130      | 122      | 130      | Petitions to the Commissioner  |          |
|       |        |       |        | 123      | 130      | 123      | 130      | Petitions related to provisional applications                              |          |
|       |        |       |        | 126      | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  |          |
|       |        |       |        | 581      | 40       | 481      | 40       | Recording each patent assignment per property (times number of properties) |          |
|       |        |       |        | 146      | 740      | 246      | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
|       |        |       |        | 149      | 740      | 249      | 370      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
|       |        |       |        | 179      | 740      | 279      | 370      | Request for Continued Examination (RCE)                                    |          |
|       |        |       |        | 169      | 900      | 169      | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) :

Other fee (specify) :

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 200.00)

## SUBMITTED BY

## Complete (if applicable)

|                   |                      |                                   |                  |           |              |
|-------------------|----------------------|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Eldora Ellison Floyd | Registration No. (Attorney/Agent) | 39,967           | Telephone | 202-371-2600 |
| Signature         |                      | Date                              | December 6, 2001 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnc

seqlist.feeform



## UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
DEC 1 0 2001  
TECH CENTER  
COMMISSIONER OF PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/864,291         | 05/25/2001          | Richard Oko           | 1669.0050001/JAG/EEF   |

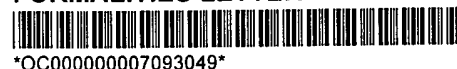
26111

STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W., SUITE 600  
WASHINGTON, DC 20005-3934



CONFIRMATION NO. 1258

## FORMALITIES LETTER



\*OC000000007093049\*

Date Mailed: 11/19/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 10/09/2001 to the Notice to File Missing Parts (Notice) mailed 08/06/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice MUST be returned with the reply.*

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE